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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,488	02/21/2006	Klemens Neunteufl	66376-375-7	3490

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DYKEMA GOSSETT PLLC
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EXAMINER

HOANG, JOHNNY H

ART UNIT	PAPER NUMBER
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3747

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 21-27, drawn to ***operating an internal combustion engine with homogeneous fuel combustion, classified in class 701, subclass 105.***
 - II. Claims 28-35, drawn to ***operating an internal combustion engine which is switched between a first and second mode of operation as a function of at least one characteristic engine operation parameter, classified in class 123, subclass 295.***
 - III. Claim 36, drawn to ***a measurement or calculation of temperature before and/or after the exhaust after-treatment system, classified in class 60, subclass 295.***
 - IV. Claims 37-41, drawn to ***a method of controlling air/fuel ratio and fuel injection of an internal combustion engine, classified in class 701, subclass 103.***

2. The inventions are distinct, each from the other because of the following reasons:

Inventions of group (I), group (II), group (III) and group (IV) are related as subcombinations disclosed as usable together in a single combination since each one may be used alone or with other data processing systems. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention of groups (I), (II), (III), and (IV) being related as subcombinations usable together with each capable of use. See MPEP § 806.05(d).

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Because these inventions are distinct for the reasons given above and the search required for group (I) is not required for group (II), restriction for examination purposes as indicated is proper.

3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnny H. Hoang whose telephone number is (571) 272-4843.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephens K. Cronin can be reached on (571) 272-4536. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JHH
December 4, 2006

Johnny H. Hoang
Examiner
Art Unit 3747


STEPHEN K. CRONIN
SUPERVISORY PATENT EXAMINER